

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 12 CR 290-1
v.)	Hon. James B. Zagel
)	
GUADALUPE ZURITA)	

GOVERNMENT’S MOTION TO DISMISS

Now comes the UNITED STATES OF AMERICA, by its attorney JOHN R. LAUSCH, JR., United States Attorney, and moves the Court, pursuant to Fed. R. Crim. P 48(a), to dismiss the indictment in this case as to defendant Guadalupe Zurita, and, in support thereof, states as follows:

1. On April 18, 2012, Guadalupe Zurita was charged by indictment in this case with three co-defendants. Guadalupe Zurita was charged with conspiring to introduce adulterated foods into interstate commerce, in violation of 18 U.S.C. § 371 (Count 1), three counts of introducing adulterated foods into interstate commerce, in violation of 21 U.S.C. §§ 331(a), 333(a)(2), and 342(a)(1), and 18 U.S.C. § 2 (Counts 2-4), obstructing the due and proper administration of law, in violation of 18 U.S.C. §§ 1505 and 2 (Count 5), and submitting a false document to the FDA with intent to obstruct the FDA’s investigation, in violation of 18 U.S.C. §§ 1519 and 2 (Count 6).

2. Zurita was never arrested because agents could not locate him. Zurita remains a fugitive and is believed to reside outside the United States.

WHEREFORE, the United States respectfully moves to dismiss the indictment only as to defendant Guadalupe Zurita.

Respectfully submitted,

JOHN R. LAUSCH, JR.
United States Attorney

/s/ Matthew M. Getter

By: _____
Matthew M. Getter
Assistant United States Attorney
219 South Dearborn, Room 500
Chicago, Illinois 60604
(312) 886-7651

Dated: April 6, 2021